

REMARKS

Prior to this communication, claims 1 – 29 were pending. In the pending Action, the Examiner rejected claims 1 – 29. In response, Applicant has amended claims 1, 11, 12, and 21, and cancelled claims 6, 20, and 29, thereby leaving claims 2 – 5, 7 – 10, 13 – 19, and 22 – 28 unchanged. Examination and reconsideration in view of the amendment and remarks contained herein are respectfully requested.

102(e) Rejections

Claims 1, and 4 – 10 stand rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent Application Publication Number 2002/0167444 (“Lee”).

Lee does not anticipate claim 1. Lee discloses a position estimating method that includes estimating an angle of arrival of a signal from a mobile terminal at a fixed, immobile base station (e.g., base stations 502) serving a fixed geographical area through which mobile terminals (e.g., cell phones 501) pass. Claim 1 is therefore not anticipated by Lee, and Applicant requests withdrawal of the rejection of claim 1. Claims 4, 5, and 7 – 10 depend from claim 1, and therefore, are allowable for at least the reasons set forth above.

103(a) Rejections

Claims 2 and 3 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of U.S. Patent Number 6,167,240 (“Carlsson”). These claims depend from claim 1, and are patentable for the reasons set forth above.

Carlsson is primarily focused on improving how signals are processed within a standard, traditional cell phone environment with a fixed geographical area through which mobile units (e.g., automobiles) pass. Carlsson makes no mention of moving the base stations. As such, Carlsson does not teach or suggest a “method of **locating mobiles** via a **mobile base**,” as recited in claim 1. (Emphasis added.) Therefore, Carlsson does not overcome the deficiencies of Lee with respect to the “**mobile base**” limitation of claim 1.

Claim 11 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of U.S. Patent Number 6,934,546 (“Corbett”). This claim depends from claim 1, and is patentable for the reasons set forth above.

Corbett discloses radio-communication systems that can improve soft handoff capabilities. Particularly, the radio-communication systems include “mobile stations M1-M10 [that] communicate with the **fixed part of a public switched telephone network** (PSTN) by transmitting radio signals to, and receiving radio signals from, **cellular base stations B1-B10.**” (Col. 1, lines 12 – 15, emphasis added.) As noted, a cell is a geographical area of radio coverage reached by a cellular base station such as the cellular base stations 400, 410 in FIGS. 1 – 4, and 9 of Corbett. Therefore, Corbett does not overcome the deficiency of Lee with respect to the “**mobile base**” limitation of claim 1.

Claims 12 and 15 – 20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of U.S. Patent Number 6,025,799 (“Ho”).

Amended claim 12 recites a “method of locating a target from a **mobile base,**” the method including “omni-directionally **transmitting** the activating signal from the omni-directional means at a first time **while moving the mobile base.**” (Emphasis added.) As noted above with respect to claim 1, Lee does not teach a “method of locating a target from a **mobile base,**” as recited in claim 12. (Emphasis added.)

Ho does not cure the deficiency of Lee. Rather, Ho discloses, with reference to FIG. 1, “a roadway with vehicular traffic travelling from lower left to upper right over two lanes between gantry uprights 12L and 12R. At each is an antenna array, 14L, 14R respectively.” The gantry uprights appear to be immobile, and Ho makes no suggestion or provides motivation to make them mobile. Therefore, claim 12 and dependent claims 15 – 20 are allowable for at least the reasons set forth above.

Claims 12, 13, and 21 – 29 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lee in view of Ho and Carlsson.

As noted above with respect to claim 12, neither Lee nor Ho, either alone or in combination, teaches or suggests, all limitations of claim 12. Particularly, neither Lee nor Ho

teaches or suggests at least “a **mobile base**” as recited in claim 12. Also as noted above with respect to claim 1, Carlsson does not teach or suggest a **mobile base** either. As such, Carlsson does not cure the deficiency of Lee and Ho. Claim 12 is patentable over Lee, Ho, and Carlsson. Claim 13 depends from claim 12, and therefore, is allowable.

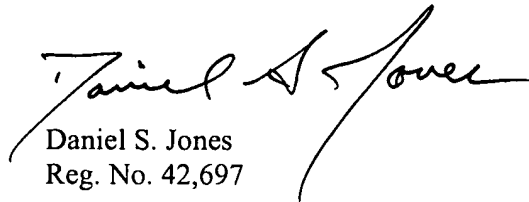
Amended claim 21 recites, among other things, a “method of locating a selected one of a plurality of mobiles from a **mobile base**.” (Emphasis added.)

As noted above with respect to claim 12, neither Lee, Ho, nor Carlsson, either alone or in combination, teaches or suggests, “a **mobile base**” as recited in amended claim 21. As such, claim 21 is patentable over Lee, Ho, and Carlsson. Claims 22 – 28, which depend from claim 21, and therefore, are allowable.

CONCLUSION

In view of the above amendments and remarks, the Applicant respectfully requests entry of this Amendment and allowance of claims 1 – 5, 7 – 19, and 21 – 28. The undersigned is available for telephone consultation during normal business hours. Applicant respectfully requests that a timely Notice of Allowance be issued in this case.

Respectfully submitted,



Daniel S. Jones
Reg. No. 42,697

File No. 066040-9763-02
Michael Best & Friedrich LLP
100 East Wisconsin Avenue
Suite 3300
Milwaukee, Wisconsin 53202-4108
414.271.6560
X:\CLIENTB\066040\9763\A1702341.2